

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CONNIE CLARKE,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 7145
)	
ALLSTATE INSURANCE COMPANY,)	
)	
Defendant.)	

MEMORANDUM ORDER

This employment discrimination action, brought by Connie Clarke ("Clarke") against Allstate Insurance Company ("Allstate"), has landed on this Court's calendar as the result of a Tinker-to-Evers-to-Chance-type reassignment sequence. Allstate's counsel has just noticed up, for presentment on May 24, an unopposed motion for leave to file an Amended Answer intended to conform to pleading requirements that this Court has long espoused and enforced.

That effort is much appreciated--it relieves this Court from having to add still another corrective memorandum order to a seemingly endless series. Ordinarily such an agreed motion would trigger an automatic grant that would spare both sides' counsel the burden (and would save their clients the money) involved in attending court on the proposed presentment date. This time, however, even though this Court grants the motion with alacrity, it nonetheless expects both sides' counsel to appear at the 9:30 a.m. May 24 presentment for the reason next stated.

Several of Allstate's Affirmative Defenses ("ADs"), as fleshed out in the redlined proposed Amended Answer attached to its motion, would potentially appear to have a substantial impact on the viability and scope of this action. Instead of reflexively putting the litigants to work on a briefing schedule to address that possibility, it seems far more constructive to discuss those matters briefly at the motion's presentment date with an eye toward structuring an appropriate procedure and timetable for considering those issues. Accordingly counsel for both Clarke and Allstate should come to the May 24 motion hearing prepared to provide this Court with a brief overview regarding the issues raised by the ADs.



Milton I. Shadur
Senior United States District Judge

Date: May 20, 2011